

Message Text

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ACTION SCI-04

INFO OCT-01 AF-04 ARA-06 EUR-08 EA-06 ISO-00 L-01 NEA-06

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INFO AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY MOSCOW

AMEMBASSY BRUSSELS

AMEMBASSY PRETORIA

AMEMBASSY CANBERRA

AMEMBASSY WELLINGTON

AMEMBASSY SANTIAGO

AMEMBASSY BUENOS AIRES

AMEMBASSY TOKYO

C O N F I D E N T I A L SECTION 1 OF 2 OSLO 4697

E.O. 11652: GDS

TAGS: XV TGEN NO

SUBJ: ANTARCTIC MINERAL RESOURCES CONSULTATIONS

SUMMARY

1. U.S.TEAM CONTINUED INFORMAL CONSULTATIONS RE ANTARCTIC MINERAL RESOURCES QUESTION WITH OTHER DELEGATIONS ATTENDING OSLO PREP COM MEETING. SUMMARY OF MAJOR FINDINGS AND COUNTRY BY COUNTRY ANALYSIS FOLLOW.

2. IMMEDIATE AND OVER-RIDING CONCERN OF ALL DELS IS THAT LOS GEN-EVA CONFERENCE NOT UPSET TRADITIONAL PRECINCTS OF ANTARCTIC TREATY NATIONS. TO THIS END THERE WAS INSISTENCE THROUGHOUT MEETING ON
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NECESSITY FOR COORDINATED APPROACH TO LOS NEGOTIATION WHICH WOULD

BE DEVELOPED BY ADDITIONAL PREP COM MEETING AND POSSIBLY BY CONSULTATIONS AMONG THE TWELVE ANTARCTIC TREATY DELEGATIONS DURING COURSE OF LOS CONFERENCE. DESIRE TO DEAL WITH RESOURCES QUESTION IN THE CONTEXT OF POSSIBLE LOS DECISIONS OR DISCUSSIONS CREATED PRESSURE FOR POSTPONEMENT OF EIGHTH CONSULTATIVE MEETING UNTIL AFTER END OF LOS CONFERENCE.

3. AT NO POINT DURING WEEK OF DISCUSSIONS WAS THERE ANY EXPRESSION OF VIEWS WHICH INDICATED CONSIDERATION OF ULTIMATE SOLUTION TO ECONOMIC ISSUE OTHER THAN WITHIN INTERNATIONAL FRAMEWORK.

4. IT WAS ABUNDANTLY CLEAR THAT ALL DELS WERE PUZZLED AND DISTURBED BY U.S. RETICENCE AND FAILURE TO DEMONSTRATE TRADITIONAL LEADERSHIP ON IMPORTANT ANTARCTIC ISSUE. EXPLANATION THAT U.S. STILL STUDYING MINERALS QUESTION WAS NOT ACCEPTED AS CONVINCING, ESPECIALLY AS SO MANY COUNTRIES' POSITIONS APPEAR TO HAVE EVOLVED FAR BEYOND THOSE TAKEN AT WELLINGTON. END SUMMARY

5. UNITED KINGDOM. DR. ROBERTS CONVINCED THAT DANGER OF A UN TAKE-OVER OF RESOURCE ISSUE AT PRESENT TRANSCENDS PROBLEM OF CLAIMS AND JURISDICTION. HE SAID THAT IN UK VIEW THE TWELVE HAVE EARNED THE RIGHT TO EXERCISE CONTROL OVER THE TREATY AREA BUT MUST SHOW THE UN LOS CONFERENCE THAT THEY HAVE RESOURCE SITUATION IN HAND. DURING COURSE OF THE WEEK HE DISTRIBUTED A PRIVATE DRAFT PROTOCOL TO ANTARCTIC TREATY DEALING WITH RESOURCE QUESTION. THIS PAPER ATTRACTED LITTLE SUPPORT AND MOST DELS THOUGHT IT PREMATURE. COMMENTS REVEALED CLEAR PREFERENCE FOR DEALING WITH PROBLEMS WHICH MIGHT ARISE IN LOS CONFERENCE AND THE ULTIMATE RESOLUTION OF ANTARCTIC RESOURCES EXPLOITATION PROBLEM AS SEPARATE ISSUES. ROBERTS STATED THAT UK WOULD VERY MUCH LIKE TO HAVE INTERIM MORATORIUM AS IT WOULD BE MOST HELPFUL TO UK GOVERNMENT IN RESPONDING TO QUESTIONS FROM PARLIAMENT. DR. HEAP, ROBERT'S ASSISTANT, IN ANOTHER CONVERSATION SAID THAT IN HIS VIEW THE TIME FOR MORATORIA HAD PASSED, THAT STATES NOW MUST MOVE TOGETHER WITH DELIBERATE SPEED TOWARD RESOLUTION OF THE PROBLEM. ROBERTS IS STRONG PROPONENT OF ADOPTING COMMON POSITION AMONG THE TWELVE BEFORE LOS MEETING.

6. NORWAY. BUCHER-JOHANNESSEN, NORWEGIAN FOREIGN OFFICE POLAR ADVISER, ADVANCED IDEA THAT THE MOST IMPORTANT IMMEDIATE STEP

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IS TO DELIMIT AREA OVER WHICH TREATY PARTIES CLAIM COMPETENCE. HE SAID THAT VIEW OF GON WAS THAT THE AREA OF TREATY COMPETENCE SHOULD BE DECIDED ON THE BASIS OF LOS DECISIONS. NORWAY DISPLAYED A CONTINUING INTEREST IN U.S. VIEWS ON A MORATORIUM. NORWEGIAN DELS EXPLAINED THAT GON WOULD HAVE GREAT DIFFICULTY IN RESTRAINING ITS CITIZENS OR COMPANIES FROM SEEKING ECONOMIC EXPLORATION OF AREA IN PRESENT CIRCUMSTANCES BECAUSE OF ANCIENT NORWEGIAN LAWS REGARDING RIGHTS OF CITIZENS TO UTILIZE UNUSED GOVERNMENT-OWNED LAND.

TRESSELT, LOS ADVISER, JOINED OTHER MEMBERS GON DEL IN URGING COMMON POSITION AMONG THE TWELVE TO DEAL WITH ISSUE IN LOS MEETING. HOWEVER, HE URGED CAUTION IN DEALING WITH STATES OUTSIDE THE TREATY. HE POINTED OUT THAT ANY POSITION WHICH GOES TOO FAR IN PROCLAIMING SPECIAL RIGHTS OR COMPETENCE OF THE TWELVE WILL BE PROVOCATIVE AND COUNTERPRODUCTIVE. HE EXPRESSED VIEW THAT SOME DISPOSITIVE ACTION BY THE TWELVE PRIOR TO LOS MEETING WOULD BEST SERVE INTERESTS OF THE TREATY. IN ABSENCE OF SOME SUCH ACTION HE RECOMMENDED THAT ANY POSITION AGREED UPON SHOULD BE KEPT AMONG THE TWELVE AND THAT THE MAIN REQUIREMENT WAS A SET OF GUIDELINES FOR USE BY THE LOS DELS. TRESSELT STATED PERSONAL VIEW THAT THE BEST HOPE FOR THE GUTURE OF ANTARCTICA WAS STEADY PROGRESS TOWARD INTERNATIONALIZATION OF THE AREA.

7. FRANCE. BERNARD ROUX, FRENCH LOS ADVISER, STATED VIEW THAT THE TREATY TWELVE HAVE THE COMPETENCE TO REGULATE ANTARCTIC RESOURCE ACTIVITY AND THAT ANY INSTRUMENT DEVELOPED FOR REGULATION OF THESE ACTIVITIES SHOULD APPLY TO THE ENTIRE SEABED AREA SOUTH OF 60 DEGREES SOUTH LATITUDE. HE SAID IT WOULD PROBABLY BE NECESSARY TO OPEN THE AREA TO ACCESS FOR EXPLOITATION BY NON-TREATY NATIONS TO MAKE ANY ARRANGEMENT WE AGREE UPON ACCEPTABLE TO OTHERS. FRANCE STRONGLY URGES A COMMON POSITION ON ANTARCTIC ISSUES AT LOS CONFERENCE AND FAVORS A QUICK RESOLUTION OF RESOURCE AMONG THE TREATY TWELVE.

8. ARGENTINA. AMBASSADOR BELTRAMINO, WHO HAS BEEN INVOLVED WITH ANTARCTIC MATTERS SINCE 1958 AND LED ARGENTINE DELEGATION TO SEVENTH CONSULTATIVE MEETING, STATED THAT GOA IS PREPARED TO DISCUSS RESOURCE QUESTION REALISTICALLY AND RESPONSIBLY, AND BELIEVES CHILE WILL APPROACH ISSUE WITH SAME ATTITUDE. HE REFERRED TO THE QUESTION OF RESOURCES AS VERY IMPORTANT, HIGHLY POLITICAL AND EXTREMELY SENSITIVE. HE SAID ANY SOLUTION WOULD HAVE TO TAKE INTO ACCOUNT THE PRESENT BALANCE OF INTERESTS AS WELL AS THE VIEWS OF ALL TREATY

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PARTIES. ARGENTINA BELIEVES THE MATTER SHOULD BE RESOLVED AMONG THE TWELVE. HOWEVER, BELTRAMINO REMARKED THAT THE TREATY HAD BEEN VERY DIFFICULT TO ACHIEVE AND CANNOT BE RELIED UPON TOO FAR FOR GUIDANCE ON THIS ISSUE. ARGENTINA IS EXTREMELY CONCERNED ABOUT POSSIBLE TAKEOVER OF ANTARCTIC RESOURCE ISSUE BY UN AND STRONGLY SEEKS COMMON POSOTION AT LOS CONFERENCE. (SEE ALSO OSLO 4624)

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SP-02 CG-00 DOTE-00 FEA-01 EB-04 DRC-01 /074 W

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TO SECSTATE WASHDC 8860

INFO AMEMBASSY LONDON

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AMEMBASSY MOSCOW

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AMEMBASSY PRETORIA

AMEMBASSY CANBERRA

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9. CHILE. MINISTER COUNSELLOR CARRASCO, COMMENTING ON UK DRAFT PROTOCOL, SAID PERSONAL VIEW WAS BRITISH HAD GONE FAR BEYOND RECOMMENDATION VII-6 WHICH SAYS NOTHING ABOUT SETTING UP ANY ARRANGEMENTS. CHILE VERY CONCERNED ABOUT IMPACT OF EXPLOITATION ON ENVIRONMENT. CHILE SHARES ANXIETY OVER POSSIBLE INROADS LOS CONFERENCE MAY MAKE ON AREA NOW SUBJECT TO ANTARCTIC TREATY PROVISIONS. CARRASCO IS OLD HAND AT CONSULTATIVE MEETINGS AND EXTREMELY KNOWLEDGEABLE ON ANTARCTIC ISSUES. HE LEFT DEFINITE IMPRESSION THAT CHILE TAKES RESOURCES MATTER VERY SERIOUSLY AND WILL APPROACH NEGOTIATIONS ON SUBJECT REALISTICALLY.

10. USSR. U.S. TEAM CONFERRED WITH TWO SECOND SECRETARIES FROM SOVIET EMBASSY, OSLO, WHO REPRESENTED USSR AT PREP COM MEETING. ONE APPEARED HAVE GREATER STATURE THAN HIS RANK WOULD IMPLY AND
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SPOKE WITH APPARENT AUTHORITY ALTHOUGH HE IS NEW IN ANTARCTIC AFFAIRS. USSR THINKS QUESTION OF EXPLOITATION HAS RECEIVED INSUFFICIENT STUDY. ONLY A FEW ACCIDENTALLY-DISCOVERED MINERALS HAVE BEEN

OBSERVED. THERE HAS BEEN NO THOROUGH, COMPREHENSIVE STUDY OF ANT-ARCTIC GEOLOGY. DISTURBANCE TO EXOLOGY BY MINERAL EXPLOITATION COULD BE VERY DAMAGING. THERE SHOULD BE NO EXPLOITATION FOR 10-15 YEARS, AND NO DECISIONS REGARDING EXPLOITATION SHOULD BE TAKEN NOW. PROTECTION OF INTERESTS OF PRIVATE COMPANIES WOULD BE IN CONTRADICTION OF TREATY PROVISIONS REGARDING FREEDOM OF SCIENTIFIC RESEARCH, FREE EXCHANGE OF INFORMATION AND RIGHT OF INSPECTION. THIS WOULD LEAD TO WEAKENING OF THESE IMPORTANT PROVISIONS.

PROVISIONS OF TREATY APPLY TO AREA SOUTH OF 60 DEGREES. LOS CONFERENCE IS ONLY NOW BEGINNING TO FRAME PARAGRAPHS FOR FUTURE CONVENTION. USSR BELIEVES ANTARCTIC TREATY NATIONS SHOULD DISCUSS ANTARCTIC RESOURCES PROBLEM, TAKING INTO ACCOUNT WHAT IS GOING ON IN LOS ARENA.

11. JAPAN. ITO OF FOREIGN MINISTRY ADVANCED THESIS THAT WHEN INTERESTS OF SPECIALIZED INTERNATIONAL REGIME SUCH AS ANTARCTIC TREATY CONFLICT WITH THOSE OF GENERALIZED INTERNATIONAL REGIME SUCH AS LOS, THE FORMER GENERALLY ARE TRANSCENDENT. THUS, WHILE JAPAN REMAINS CONCERNED OVER PROSPECT OF UN TAKEOVER OF ANTARCTICA, PROSPECTS ARE THAT TREATY NATIONS WOULD WIN CONTEST WITH LOS. ENTIRE AREA SOUTH OF 60 DEGREES SHOULD BE UNDER PROVISIONS OF ANTARCTIC TREATY ONLY. ITO CONCERNED THAT OFFSHORE MINERAL EXPLOITATION COULD HAVE DAMAGING IMPACT ON RICH BIOLOGICAL MARINE RESOURCES AND THAT CONSULTATIVE MEETING SHOULD BE MORE CONCERNED ABOUT LIVING RESOURCES THAN ABOUT MINERALS.

12. AUSTRALIA. AMBASSADOR PETHERBRIDGE, RESIDENT STOCKHOLM, ASSIGNED ALSO TO NORWAY, THOUGHT THERE SHOULD BE SOME SORT OF MORATORIUM ON MINERAL EXPLORATION AND EXPLOITATION, AT LEAST UNTIL LOS QUESTION IS DISPOSED OF. HE SAID AUSTRALIA GREATLY CONCERNED OVER POSSIBILITY LOS CONFERENCE WILL ATTEMPT REGULATE ANTARCTIC OFFSHORE RESOURCES. ANXIOUS THAT THE TWELVE PRESENT COMMON FRONT. PETHERBRIDGE SAID BASIC IMMEDIATE NEED TO IDENTIFY POSSIBLE LOS ISSUES THAT COULD AFFECT ANTARCTICA. SAW NEED FOR AGREED GUIDELINES FOR LOS DELS AND PROPOSED CONSULTATIONS AMONG TREATY PARTIES DURING LOS CONFERENCE.

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13. SOUTH AFRICA. (COMMENT: FOR SOUTH AFRICA, HARDPRESSED INTERNATIONALLY, PRESERVATION OF ANTARCTIC TREATY AND ANTARCTIC INTERNATIONAL FORUM IN WHICH IT HAS STATUS ASSUMES CONSIDERABLE IMPORTANCE. THUS SHORT-TERM PROBLEM OF PROTECTING ANTARCTIC TREATY INTERESTS DURING LOS CONFERENCE IS VIEWED AS OF FAR GREATER IMPORTANCE THAN RESOLUTION OF LONGER TERM QUESTION OF HOW TO DEAL WITH MINERAL EXPLOITATION.) SOUTH AFRICA WANTED TO ENSURE THAT ALL TREATY PARTY DELEGATIONS TO LOS FULLY UNDERSTAND ANTARCTICA, ITS HISTORY, THE TREATY, COMMON OBJECTIVES, ETC. TO THAT END THEY SHOULD HAVE AT HAND (1) COMMON GUIDELINES AND (2) BACKGROUNDER

ON THE AREA AND SCIENCE PROGRAMS. AS TO OFFSHORE LIMITS, SOUTH AFRICA THOUGHT ACCEPTING ANYTHING OTHER THAN THE FORMULATION PRECISELY AS GIVEN IN THE TREATY MIGHT CONSTITUTE BREACH OF TREATY. SOUTH AFRICA DELEGATION HEADED BY PETER PHILIPS, OF FOREIGN OFFICE WHO HAS LONG ASSOCIATION WITH ANTARCTIC POLITICAL PROBLEMS.

14. BELGIUM. REPRESENTED BY MINISTER ALFRED VAN DER ESSEN WHOSE VIEWS REPORTED EARLIER. BELGIUM SHARES CONCERN RE LOS FORUM AND PREFERS MAINTAIN CONTROL OF ANTARCTIC RESOURCES AMONG THE TWELVE WHO ATTEND CONSULTATIVE MEETINGS RATHER THAN AMONG ALL SEVENTEEN CONTRACTING PARTIES. BELGIUM CONCURS WITH PROPOSAL THAT THE TWELVE ANTARCTIC COUNTRIES' DELS TO LOS BE PROVIDED AGREED GUIDELINE PAPERS DRAWN UP IN CONFORITY WITH ANTARCTIC TREATY PRINCIPLES. RE OFFSHORE LIMITS, BELGIUM THOUGHT 60 DEGREES SOUTH WOULD NOT BE ACCEPTED BY MAJORITY OF LOS NATIONS, AND THAT A 200 MILE LIMIT WOULD BE ACCEPTABLE TO BELGIUM.

15. NEW ZEALAND. D.B.G.MCLEAN, DEPUTY HIGH COMMISSIONER, LONDON, WITH PREVIOUS EXPERIENCE IN ANTARCTIC TREATY AFFAIRS AND COLIN KEATING, WITH LOS BACKGROUND, REPRESENTED GNZ. MCLEAN INDICATED THAT NZ CONSIDERS THE THREAT OF UN INTRUSION TO BE REAL AND THE TREATY NATIONS HAVE AN URGENT NEED TO DEMONSTRATE THEIR DETERMINATION TO FACT UP TO THE RESOURCE PROBLEM. IN COMMENTING ON UK DRAFT PROTOCOL, NZ REPS SAID IT WAS ADDRESSED TO THE WRONG PROBLEM. THEY FELT TROUBLE ON THE ISSUES AT LOS CONFERENCE COULD PROBABLY BE AVOIDED IF THE TWELVE HAD AN AGREED SET OF PRINCIPLES WHICH WOULD DEMONSTRATE BOTH THE COMPETENCE AND THE UNITY OF THE TWELVE BUT WOULD NOT BE PROVOCATIVE TO OTHERS. NZ DEL CIRCULATED A DRAFT PAPER LATER IN WEEK TO PROVIDE EXAMPLE OF WHAT THEY HAVE IN MIND. MCLEAN STRESSED VIEW THAT IMMEDIATE TASK IS TO COPE WITH POLITICAL PROBLEM IN UN. NZ DEL ALSO STATED THAT IN DEALING WITH RESOURCE

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ISSUE THE CONSULTATIVE PARTIES SHOULD PRESERVE THE UNANIMITY PRINCIPLE IF POSSIBLE.
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